

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

CARLOS RAMIREZ and DOLORES RAMIREZ,

Plaintiff,

v.

No. 14-cv-0448 GBW/SMV

**STATE OF NEW MEXICO,
NEW MEXICO STATE POLICE,
NEW MEXICO LIVESTOCK BOARD,
TOM LUCERO, MATTHEW ROMERO,
and JOHN DOE,**

Defendants.

ORDER TO SHOW CAUSE

THIS MATTER is before the Court sua sponte. Plaintiffs served Defendants with summons on February 17, 2014.¹ [Doc. 1] at 1. Plaintiffs have since failed to take any steps to prosecute their claims. Accordingly, Plaintiffs must show good cause within **30 days** why their claims should not be dismissed without prejudice pursuant to D.N.M.LR-Civ. 41.1 (allowing for dismissal where the plaintiff takes no steps to move its case forward for 90 days).

IT IS THEREFORE ORDERED that Plaintiffs show cause no later than **February 9, 2015**, why their claims should not be dismissed without prejudice for failure to prosecute under D.N.M.LR-Civ. 41.1.

¹ Plaintiffs filed their complaint on August 4, 2011, in the Fourth Judicial District Court of San Miguel County, New Mexico. [Doc. 1] at 1; [Doc. 1-1] at 1. The state court dismissed Plaintiffs' complaint on August 31, 2012, for lack of prosecution. [Doc. 1] at 1. The case was reinstated on January 11, 2013, and Plaintiffs effected service of process on Defendants on February 17, 2014. *Id.* Defendants removed the case to federal court on May 14, 2014. *Id.* Defendants' Notice of Removal does not include exhibits concerning the August 31, 2012 dismissal in state court for lack of prosecution, concerning the subsequent reinstatement of the case, or showing Plaintiffs' February 17, 2014 service of summons.

IT IS SO ORDERED.



STEPHAN M. VIDMAR
United States Magistrate Judge